

Attachment to Independent Case Review Report
For CDRU # 4795 Case file # 95-260051.

Material Examiner: Malone (RO)

Remarks:

Case resulted in a trial, transcript available.

CAM 1205

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Cary T. Oien

Area(s) of Expertise: Wood

Review commenced at: 10:26 am (Time), 5/22/03 (Date)

File #: 95-260051

Laboratory #(s): 40307084 S/D RQ MQ VS

Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>RQ</u>	<u>X</u> <input type="checkbox"/>	<input type="checkbox"/>	<u></u>	<input type="checkbox"/>	<input type="checkbox"/>
<u></u>	<input type="checkbox"/>	<input type="checkbox"/>	<u></u>	<input type="checkbox"/>	<input type="checkbox"/>
<u></u>	<input type="checkbox"/>	<input type="checkbox"/>	<u></u>	<input type="checkbox"/>	<input type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: RQ

Testimony Date(s): March 8, 1984 Pages: 853-857

Laboratory Report(s):

Laboratory Number: 40307084 S/D RQ MQ VS Date: March 9, 1984

Laboratory Number: Date:

Laboratory Number: Date:

Examiner Bench Notes of: RQ

Laboratory Number: 40307084 S/D RQ MQ VS

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Was any other material reviewed? ☐ Yes ☒ No

If yes, please identify and/or describe the material: _____

Results of Review

File #: 95-260051 Item or Specimen # Reviewed: Q1 through Q5, K1 through K3

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☒ Yes ☐ No ☐ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☐ Yes ☒ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☐ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☒ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☒ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☒ No ☐ Unable to Determine

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Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-260051

2. The identification and comparison of the wood present in the matches seems to be correct, and was correctly reported. However, the statement that the Q1 through Q3 and K1 through K3 matches "...appear to have been produced by the same manufacturer.." is not a valid statement to make, as the basis for this statement was a 0.4 mm size difference between two samples of different match manufacturers. A third was different from the other manufacturer based on composition. One may very well exclude the manufacturer based on the size difference, but no information was available as to how many other match manufacturers there were. To assign the Q1 through Q3 matches to the manufacturer named in the report is not adequately supported by the notes.

4. The testimony states that only three manufacturers produce kitchen matches (page 855, lines 21-23). This information is not supported by any information in the notes.

5. I cannot determine the validity of the source determination of the matches as I have no information as to what analysis he performed or documentation of any conversation he had with manufacturers.

Review completed at: 11 00 am: (Time), 5/22/03 (Date)

Total time spent conducting review (to nearest 1/4 hour): 1/2 hour

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.



(Signature)

5/22/03

(Date)

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